

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MONICA COZZONE, D.O.,	:	CIVIL ACTION NO. 3:CV-10-2388
	:	
Plaintiff	:	
	:	
v.	:	
	:	(Magistrate Judge Blewitt)
AXA EQUITABLE LIFE INSURANCE	:	
SOCIETY OF THE UNITED STATES, et al.,	:	
	:	
Defendants	:	

ORDER AND JUDGMENT

AND NOW, this 14th day of **March, 2012**, based upon the foregoing Memorandum, **IT IS HEREBY ORDERED THAT** Defendants' Motion for Judgment on the Pleadings (**Doc. 13**), under Fed. R. Civ. P. 12(c), with respect to Count II of Plaintiff's Complaint, 42 Pa. C.S.A. §8371 bad faith claim, is **GRANTED**. **IT IS FURTHER ORDERED** that **Judgment** is entered in favor of Defendants and against Plaintiff with respect Count II of Plaintiff 's Complaint, §8371 bad faith claim.

IT IS FURTHER ORDERED Defendants' **Doc. 13** Motion is **GRANTED** to the extent that Plaintiff raises a common law claim for breach of the implied contractual duty to act in good faith in Count II of her Complaint.

s/ Thomas M. Blewitt
THOMAS M. BLEWITT
United States Magistrate Judge

Dated: March 14, 2012